

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2621 – HB 3200

April 27, 2010

SUMMARY OF AMENDMENTS (015917, 017031): Amendment 015917 deletes Section 2 of the original bill and adds a new Section 3. The new Section 2 replaces the word “counseling” with the word “assessment” as the support service that LEAs randomly drug testing students must supply students who test positive for drugs. The support program must include an assessment to determine the severity of the student’s addiction and a recommendation for referral to an intervention or treatment program as appropriate. LEAs shall use existing resources to supply testing materials and any subsequent counseling.

The new Section 3 requires LEAs adopting such policies to notify the parents or guardians that students participating in voluntary extracurricular activities may be subject to random testing and to notify the parents or guardian before any drug test is administered to the student. Requires LEAs to obtain written consent from the parents or guardian before the student randomly chosen is tested.

Amendment 017031 adds a new section at the end of the original bill. Requires the results of a positive random drug test to remain confidential. This includes records of the test, request for the test, and indication that a student has been tested. Prohibits students who test positive from being suspended or expelled solely on the basis of a positive result. Requires principals or school counselors of the school where the student testing positive is enrolled to give drug treatment referral information to the student and the student’s parents or guardian. Referral information shall include inpatient, outpatient, and community based drug and alcohol treatment programs.

FISCAL IMPACT OF ORIGINAL BILL:

Increase Local Expenditures - \$355,200/Permissive

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

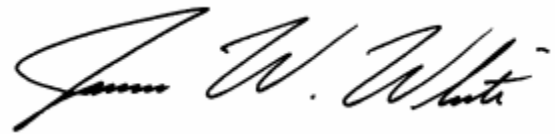
Unchanged from the original fiscal note.

Assumptions applied to amendments:

- Replacing the word “counseling” with the word “assessment” will have no fiscal impact.
- LEAs will give notice to parents or guardians and obtain written consent before randomly drug testing without a significant increase in local expenditures.
- According to the Department of Education, requiring records to remain confidential and for principals and school counselors to provide drug treatment referral information will not have a significant fiscal impact on local government. Any increase in expenditures can be accommodated within existing resources.
- LEAs may still choose whether or not to implement random drug testing for students who participate in voluntary extracurricular activities.
- No impact on state expenditures.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with a large initial "J" and a distinct "W".

James W. White, Executive Director

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